

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

RAUL VILLEGAS GARZA,	§	
Petitioner,	§	
VS.	§	CIVIL ACTION NO.4:08-CV-305-Y
	§	
NATHANIEL QUARTERMAN, Director,	§	
T.D.C.J., Correctional	§	
Institutions Div.,	§	
Respondent.	§	

ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS AND CONCLUSIONS and,
TRANSFERRING CASE TO THE COURT OF APPEALS FOR THE FIFTH CIRCUIT

Before the Court is the petition for writ of habeas corpus under 28 U.S.C. § 2254 of petitioner Raul Villegas Garza, along with a motion for authorization to file a successive petition and the May 9, 2008, findings, conclusions, and recommendation of the United States magistrate judge. The magistrate judge gave the parties until May 30, 2008, to file written objections to the findings, conclusions, and recommendation. As of the date of this order, no written objections have been filed.

The Court has reviewed the pleadings and the record in this case and has reviewed for clear error the proposed findings, conclusions, and recommendation of the United States magistrate judge filed on May 9, 2008. The Court concludes that this case must be transferred to the United States Court of Appeals for the Fifth Circuit for the reasons stated in the magistrate judge's findings and conclusions.¹

Therefore the findings, conclusions and recommendation of the magistrate judge are ADOPTED.

¹See generally *In re Epps*, 127 F.3d 364, 365 (5th Cir. 1997).

Raul Villegas Garza's motion seeking authorization of the Court to file a second or successive petition for writ of habeas corpus and petition for writ of habeas corpus² are TRANSFERRED to the United States Court of Appeals for the Fifth Circuit.

SIGNED June 5, 2008.



TERRY R. MEANS
UNITED STATES DISTRICT JUDGE

²Along with the memorandum in support of the motion for authorization.